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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/980,252	02/21/2002	Yasumasa Mizushima	SON-2058/YAM	9700

7590 09/05/2006
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EXAMINER

LANEAU, RONALD

ART UNIT	PAPER NUMBER
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3627

DATE MAILED: 09/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/980,252

Applicant(s)

MIZUSHIMA ET AL.

Examiner

Ronald Laneau

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 37-43 is/are allowed.
- 6) ☒ Claim(s) 28-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Response to Amendment

1. The amendment filed on 06/21/06 has been entered. Claims 1-11 are canceled and claims 28-43 are now pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
4. Claims 28-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miura (US 6,036,348).

As per claims 28-36, Miura discloses a cargo insurance information making method comprising the steps of: calculating insurance to cargo on a basis of at least shipping instruction information to be utilized as detailed cargo information, an insurance condition being a calculation standard of the insurance (fig. 3), and the like; selecting an insurance trader among

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nominated insurance traders (fig. 1); calculating an insurance premium by means of an insurance premium rate as a standard on a basis of the shipping instruction information, the insurance, a delivery section and the like (fig. 3). Further, Miura discloses a cargo insurance information making wherein any of said shipping instruction information, insurance condition information, said insurance trader, said insurance premium rate, and the like are extracted from information stored in a database (col. 4, lines 26-65). Miura does not disclose making cargo insurance information being electronic data on a basis of respective information of the shipping instruction information, the insurance, and the insurance premium but it would have been obvious to one of ordinary skill in the art at the time the invention was made to make cargo insurance information being electronic data on a basis of respective information of the shipping instruction information, the insurance, and the insurance premium as claimed since Miura's system provides opportunities for sellers or buyers to obtain cargo insurance on goods or services shipped in accordance with transactions.

Allowable Subject Matter

5. Claims 37-43 are allowed.

None of the references, either singularly or in combination, discloses or even suggests:

As per claims 37-39, an automatic drafting method of a draft of bill of lading comprising the steps of: making new draft information for the bill of lading by adding shipping instruction information to the outgoing vessel schedule information for confirmation in response to a shipping requirement; and transmitting the new draft information for the bill of lading as final

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draft information for the bill of lading, whereby the draft information of the bill of lading is automatically made.

As per claims 40 and 41, an automatic making apparatus of draft information for a bill of lading, said apparatus comprising: making means for making draft information of a bill of lading to be issued to the cargo on basis of the outgoing vessel schedule information and the booking information; and whereby the draft information made by said making means is delivered to a shipping company side, and the shipping company side writes a bill number and an issuance date of the bill for making the bill of lading of the cargo.

As per claims 42 and 43, an automatic issuing system of a bill of lading, in which a site to transmit a cargo shipping instruction and a site on a physical distribution trader side are mutually connected with a communication network line and information circulates as electronic data, the site on the shipping instruction side comprising: information of a bill of lading confirming means for confirming delivery of booking information on the physical distribution trader side to add a bill booking number; and bill of lading issuing means for attaching a bill number and a bill issuance data to received draft information of a bill of lading to issue the bill of lading of the cargo, whereby the draft information for the bill of lading are added in sequence in electronic data exchanging processes between both of the sites to complete the bill of lading.

Response to Arguments

6. Applicant's arguments, see response, filed on 6/21/06, with respect to the rejection(s) of claim(s) 28-43 under 35 USC 103 have been fully considered and are persuasive. Therefore, the

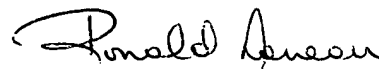
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rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Miura (US 6,036,348).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Laneau whose telephone number is (571) 272-6784. The examiner can normally be reached on Mon-Fri from 8:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ronald Laneau
Primary Examiner
Art Unit 3627

8/29/06